



02-24-05

RCE<sup>TM</sup>

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/483,434
Filing Date	January 14, 2000
First Named Inventor	Jeffrey L. MILLER
Group Art Unit	1636
Examiner Name	Leffers, Jr., Gerald G.
Attorney Docket Number	14014.0360

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on] Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply 02/25/2005 HDEMESS1 00000080 09483434
- ii. ☐ Affidavit(s)/Declaration(s) 01 FC:1801 790.00 OP
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37. C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- a. ☐ Check in the amount of \$ enclosed for the fees designated below.
- b. ☒ Payment by credit card in the amount of \$1810.00 for the fees designated below. (Form PTO-2038 enclosed).  
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
- c. ☐ The Director is hereby authorized to charge the amount of \$for the fees designated below to Deposit Account No..
- d. ☒ Fees
- ☒ RCE fee (\$790.00) required under 37 C.F.R. § 1.17(e)
- ☒ Three (3) Month Extension of time fee (\$1020.00) (37 C.F.R. §§ 1.136 and 1.17)
- ☐ Other \_\_\_\_\_
- e. ☒ The Director is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 14-0629.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Gwendolyn D. Spratt	Registration No. (Attorney/Agent)	36,016
Signature	<i>Gwendolyn D. Spratt</i>	Date	2-23-05

## CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and any items indicated as attached or included [Choose one: are being deposited with the United States Postal Service as Express Mail, Label No. EL 980236197US in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Name of Person Mailing(Print/Type)	Scott Darnell		
Signature	<i>Scott Darnell</i>	Date	2-23-05



ATTORNEY DOCKET NO.14014.0360  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	)	
	)	
MILLER et al.	)	Art Unit: 1636
	)	
Application No. 09/483,434	)	Examiner: Leffers, Jr., Gerald
	)	
Filing Date: January 14, 2000	)	Confirmation No. 8390
	)	
For: METHODS FOR DELIVERING	)	
BIOLOGICALLY ACTIVE	)	
MOLECULES INTO CELLS	)	

**RESPONSE AND**  
**REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer No. 36339

February 23, 2005

Sir:

In response to the Office Action dated August 25, 2004, Applicants submit herewith a Request for Continued Examination. Please consider the remarks, arguments, and claim amendments offered below.

**Amendments to the Claims** are reflected in the listing of claims which beings on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.